

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

FILED IN OPEN COURT  
ON 9-23-2020 By  
Peter A. Moore, Jr., Clerk  
US District Court  
Eastern District of NC

NO. 5:20-CR-438-IM(2)

UNITED STATES OF AMERICA )

vs. )

RANDALL WOMBLE SMITH )

INDICTMENT

The Grand Jury charges that:

COUNTS ONE THROUGH TEN

Beginning at a time unknown and ending on or about December 7, 2019, in the Eastern District of North Carolina, RANDALL WOMBLE SMITH, the defendant herein, did knowingly receive the following visual depictions, that is, digital and computer images in files that had been mailed, shipped and transported in interstate and foreign commerce by any means, including by computer:

Count	Date	File Name
Count 1	06/23/2005	BabyJ-Lol.avi
Count 2	03/01/2013	Vicky Pigtails.mpg
Count 3	07/15/2013	(pthc) girl sucks for cum - vintage.avi
Count 4	06/15/2014	JPEG Image (142548).jpg
Count 5	11/24/2015	94.jpg
Count 6	02/03/2016	Elise 7yo sauna_suck.vk.mp4
Count 7	05/09/2017	Quick Keys (38).mp4
Count 8	03/11/2018	Pink dog collar.mp4
Count 9	12/28/2018	154544654550.png
Count 10	02/09/2019	MVI_4511.AVI

The productions of the foregoing visual depictions involved the use of a minor engaging in sexually explicit conduct and were depictions of such conduct. Each entry in the above table constituting a separate violation of Title 18, United States Code, Section 2252(a)(2) and (b).

**COUNT ELEVEN**

On or about December 18, 2019, in the Eastern District of North Carolina, RANDALL WOMBLE SMITH, the defendant herein, did knowingly possess one or more matters, that is, computer hard drives and digital media containing digital images and videos, which contained any visual depiction that had been mailed, shipped and transported using any means and facility of interstate and foreign commerce and the production of such visual depiction involved the use of a minor, including prepubescent minors or minors who had not attained 12 years of age, engaging in sexually explicit conduct, and such visual depiction was of such conduct, all in violation of Title 18, United States Code, Section 2252(a)(4)(B).

(Remainder of page intentionally left blank)

### **FORFEITURE NOTICE**

The named defendant is hereby given notice that all of the defendant's interest in all property specified herein is subject to forfeiture.

Upon conviction of one or more of the offenses set forth in Counts One through Eleven, RANDALL WOMBLE SMITH, the defendant herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 2253(a):

(1) any visual depiction or book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of the offense(s);

(2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offense(s); and

(3) any property, real or personal, used or intended to be used to commit or to promote the commission of such offense(s) or any property traceable to such property.

The forfeitable property includes, but is not limited to:

a. Samsung 2.5 inch 500 GigaByte Solid State Drive, serial number S21HNXBG415343F

b. Dell Studio Hybrid, 140G Desktop Computer, seized from the defendant on December 18, 2019

If any of the above-described forfeitable property, as a result of any act or omission of the defendant --

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), through Title 18, United States Code, Sections 2253 or 1467, whichever may be applicable, to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

A TRUE BILL

**REDACTED VERSION**

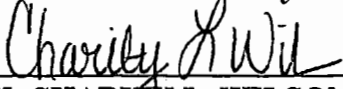
Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

~~Foreperson~~

Date: 9-23-20

ROBERT J. HIGDON, JR.

United States Attorney

  
BY: CHARITY L. WILSON  
Assistant United States Attorney